

WILLIAM K. HARRINGTON  
United States Trustee  
U.S. Department of Justice  
Office of the United States Trustee  
201 Varick Street, Room 1006  
New York, NY 10014  
Tel. (212) 510-0500

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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<i>In re</i>	: Chapter 11
	:
CELSIUS NETWORK LLC., <i>et al.</i> , <sup>1</sup>	: Case No. 22-10964 (MG)
	:
Debtors.	: (Jointly Administered)
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**APPLICATION FOR ENTRY OF AN ORDER APPROVING  
THE APPOINTMENT OF THE CONSUMER PRIVACY OMBUDSMAN**

TO: THE HONORABLE MARTIN GLENN  
CHIEF UNITED STATES BANKRUPTCY JUDGE:

William K. Harrington, the United States Trustee for Region 2 (the “**United States Trustee**”), by and through his counsel, hereby respectfully applies to this Bankruptcy Court for entry of an order approving his appointment of Lucy L. Thomson as Consumer Privacy Ombudsman (the “**Ombudsman**”) in the chapter 11 cases of Celsius Network LLC., and its debtor affiliates (collectively, the “**Debtors**”). In support thereof, the United States Trustee respectfully states:

1. On July 13, 2022 (the “**Petition Date**”), the Debtors commenced these cases by each filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code. ECF No. 1.
2. On October 24, 2022, the Court entered the *Order Approving the Debtors’ Motion Seeking Entry of an Order (I) Approving the Bidding Procedures in Connection with the Sale of*

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC’s principal place of business and the Debtors’ service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

*Substantially All of the Debtors' Assets, (II) Scheduling Certain Dates with Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Approving Contract Assumption and Assignment Procedures, and (V) Granting Related Relief (the "Order").* ECF No. 1167.

3. The Order, *inter alia*, directed the United States Trustee to appoint a Consumer Privacy Ombudsman. *Id.*

4. On October 25, 2022, the United States Trustee filed the *Appointment of Consumer Privacy Ombudsman* pursuant to 11 U.S.C. § 332 and Federal Rule of Bankruptcy Procedure 6004(g)(2). ECF No. 1190.

5. To the best of the United States Trustee's knowledge, the Ombudsman has no connections with the Debtors, their creditors, any other parties-in-interest, their respective attorneys, the United States Trustee, and persons employed in the Office of the United States Trustee, other than those connections set forth in the *Acceptance of Appointment and Verified Statement of Consumer Privacy Ombudsman*, a copy of which is annexed hereto as Exhibit A.

WHEREFORE, the United States Trustee requests that the Court enter an Order Approving the Appointment of Lucy L. Thomson. as the Consumer Privacy Ombudsman pursuant to 11 U.S.C. § 332 and Federal Rule of Bankruptcy Procedure 6004, a proposed form of which is annexed hereto as Exhibit B, and for such other and further relief as may seem just and proper in the above-described matter.

Dated: New York, New York  
October 25, 2022

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE, REGION 2

By: /s/ Shara C. Cornell  
Shara C. Cornell  
Trial Attorneys  
201 Varick Street, Room 1006  
New York, New York 10014  
Tel. No. (212) 510-0500

## **EXHIBIT A**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	:
<i>In re</i>	:
	:
CELSIUS NETWORK LLC, <i>et al.</i>	:
	:
	:
Debtors. <sup>1</sup>	:
-----X	

Chapter 11  
Case No. 22-10964 (MG)  
(Jointly Administered)

**ACCEPTANCE OF APPOINTMENT AND VERIFIED STATEMENT  
OF CONSUMER PRIVACY OMBUDSMAN**

I, the undersigned, Lucy L. Thomson, do hereby accept my appointment by the United States Trustee as Consumer Privacy Ombudsman in the above-captioned cases and declare as follows:

1. I am a person eligible and competent to perform the duties of Consumer Privacy Ombudsman, as set forth in 11 U.S.C. § 332, in the above-captioned case.
2. I am a Certified Information Privacy Professional (CIPP/US), a Certified Information Systems Security Professional (CISSP), and an experienced consumer privacy professional, having been appointed CPO in 33 federal bankruptcy cases prior to this one. I earned a Master's degree from Rensselaer Polytechnic Institute (RPI), worked as a senior principal engineer and privacy advocate for CSC, a global technology company, served as chair of the American Bar Association (ABA) Science & Technology Law Section, and am a published author of

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books/chapters on emerging technologies and critical infrastructure, including banking and finance.

3. Pursuant to the requirements of Federal Rule of Bankruptcy Procedure 6004(g)(2), I state that I have no connection with the debtors, creditors, other parties in interest, or their respective attorneys and accountants, the United States Trustee, and any person employed by the Office of the United States Trustee.

4. I am not a creditor, an equity security holder, or an insider (as those terms are defined in 11 U.S.C. § 101(31)), of Celsius Network LLC, or its Debtor affiliates.

5. I am not, and have not been, a director, officer, or employee of the Debtor within two years before the date of the filing of the petition.

6. I do not hold or represent an interest adverse to the Debtor or the Debtor's estate.

7. Based upon the foregoing, I believe that I am a "disinterested person" within the meaning of §§ 101(14) and 332(a) of the Bankruptcy Code. To reach this conclusion, I conducted a conflicts check, including a review of lists of Current and Recent Former Entities Affiliated with the Debtors; Directors/Officers; Equity Holders; Bankruptcy Professionals; Institutional Customers; Insurance; Landlords; Legal Matters and Litigants; Non-Bankruptcy Advisors and Ordinary Course Professionals; Retail Customers; Top 50 Unsecured Creditors; Taxing Authority/Governmental/Regulatory Agencies; Utilities; Vendors; and U.S. Trustee Personnel, Judges, and Court contacts for the Southern District of New York.

8. I do not have any financial connection with the Debtor or the estate.

9. I have not received any compensation from any party with respect to my appointment in this case, nor have I made any agreements or arrangements with the Debtor or any other party for compensation.

10. I agree to serve as Consumer Privacy Ombudsman and to seek reimbursement of fees and expenses from the estate based on an application to be filed with and subject to approval by the Court as provided in 11 U.S.C. § 330. My billable rate is \$550/hour.

11. I acknowledge my statutory obligation not to disclose any personally identifiable information obtained by me, and I agree to comply with 11 U.S.C. § 332(c).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: October 25, 2022

./s/ Lucy L. Thomson  
Lucy L. Thomson  
1455 Pennsylvania Avenue, N.W. Suite 400  
Washington, D.C. 20004  
(703) 798-1001  
lucythomson1@mindspring.com

## **EXHIBIT B**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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<i>In re</i>	: Chapter 11
	:
CELSIUS NETWORK LLC., <i>et al.</i> , <sup>1</sup>	: Case No. 22-10964 (MG)
	:
Debtors.	: (Jointly Administered)
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**ORDER APPROVING THE APPOINTMENT OF  
CONSUMER PRIVACY OMBUDSMAN**

Upon the United States Trustee's *Application for Entry of an Order Approving the Appointment of the Consumer Privacy Ombudsman*, dated August 14, 2019; and it appearing that Lucy L. Thomson, a disinterested person within the meaning of 11 U.S.C. § 101(14), has been appointed by the United States Trustee as the consumer privacy ombudsman in the above-captioned cases, and after due deliberation and sufficient cause appearing thereof; it is hereby

ORDERED, that the appointment of Lucy L. Thomson, as consumer privacy ombudsman, is approved, pursuant to 11 U.S.C. § 332 and Federal Rule of Bankruptcy Procedure 6004.

Dated: October \_\_, 2022  
New York, New York

\_\_\_\_\_  
Honorable Martin Glenn  
Chief United States Bankruptcy Judge

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.